

Hearing Date and Time: TBD  
Objection Date: March 27, 2017

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

|   |   |
|---|---|
| -----X                                    |   |
| In re:                                    | : |
| FAIRFIELD SENTRY LIMITED, <i>et al.</i> , | : |
|   | : |
| Debtors in Foreign Proceedings.           | : |
|   | : |
|   | : |
| -----X                                    |   |
| FAIRFIELD SENTRY LTD. (IN LIQUIDATION),   | : |
| et al.,                                   | : |
|   | : |
| Plaintiffs,                               | : |
|   | : |
| -against-                                 | : |
|   | : |
| THEODOOR GGC AMSTERDAM, <i>et al.</i> ,   | : |
|   | : |
| Defendants.                               | : |
|   | : |
| -----X                                    |   |
| THIS DOCUMENT APPLIES TO:                 | : |
|   | : |
| ALL ADVERSARY PROCEEDINGS LISTED IN       | : |
| APPENDIX A                                | : |
| -----X                                    |   |

**NOTICE OF MOTION TO DISMISS  
BASED ON THE DOCTRINE OF *RES JUDICATA***

PLEASE TAKE NOTICE that, upon the accompanying Supplemental Memorandum In Support of Defendants' Motion to Dismiss Based on The Doctrine of *Res Judicata* (the "Supplemental Memorandum"), and all prior pleadings and proceedings had herein, Defendants (as set forth in Appendix A hereto) will move this Court for an order dismissing with prejudice the complaints filed by the Liquidators of Fairfield Sentry Limited, Fairfield Sigma Limited, and Fairfield Lambda Limited, on the basis of the doctrine of *res judicata*.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 7012(b) of the Federal Rules of Bankruptcy Procedure, Defendants do not consent to the entry of final orders or judgment by this Court.

Dated: New York, New York  
January 27, 2017

Respectfully submitted,

MOSES & SINGER LLP

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*Attorneys for Defendants Deutsche Bank (Suisse)  
SA Geneve and Deutsche Bank Trust Company  
Americas and with authority from attorneys for the  
Defendants in the respective adversary proceedings  
referenced in Appendix A hereto*

TO: All Counsel of Record